



DISTRICT COURT OF MARYLAND FOR Frederick County

Located at 100 West Patrick St, Frederick, Maryland 21701



Case No. D-111-CR-22-001343

STATE OF MARYLAND

VS.

FAVILLA, DENNIS RAYMOND

610 FAIRVIEW AVE

FREDERICK, MD 21702-0000

CC#: 22-063446

SID:

FBI#:

LID:

DL#: MD10272643583 MD

Race: W Sex: M

Ht: 5' 08"

Wt: 212

Hair: GRY Eyes:

DOB: 07/25/1960

Home phone:

Cellphone:

Charge | Statute | Arrest

THEFT SCHEME: \$100,000 PLUS | CR 7 104 |

OBT PROP VUL ADLT-\$1500-<\$25K | CR 8 801 (b) |

Charge | Statute | Arrest

OBT PROP VUL ADULT- \$100K + | CR 8 801 (b) |

FORGERY-PRIV DOCUMENTS | CR 8 601 (a) |

CRIMINAL SUMMONS ON CHARGING DOCUMENT

STATE OF MARYLAND, Frederick County, to wit:

To the defendant:

YOU ARE SUMMONED AND COMMANDED to appear for a Trial/Hearing on a date to be set by the Clerk to answer the charge(s) lodged against you in the charging document attached hereto.

NOTICE TO DEFENDANT: If you fail to appear at the place, time and date set forth above, a warrant for your arrest may be issued. If you change your name, address, or telephone number, you must notify the court at the above location prior to the hearing/trial date. To request a foreign language interpreter or a reasonable accommodation under the Americans with Disabilities Act, please contact the court immediately. **TTY users call Maryland RELAY: 711.** Possession and use of cell phones and other electronic devices may be limited or prohibited in designated areas of the court facility.

Date: 12/05/2022 Judge/Commissioner/Clerk: Z. Byrd, B082 ID: B082
Given to: FREDERICK COUNTY SHERIFF'S DEPT

NOTICE TO OFFICER: If not served by 01/04/2023, return to the Court.

ACKNOWLEDGEMENT

I acknowledge receipt of a copy of this Summons and Charging Document and hereby promise to appear in the District Court as directed by the Summons. I understand that acceptance of this Summons is not an admission of guilt but that my failure to appear at the place, time and date herein set forth will result in the issuance of a warrant for my arrest.

Date: _____ Signature of Defendant: _____

RETURN OF SERVICE

☐ I certify that I delivered a copy of this Summons and Charging Document to the defendant personally at

_____ o'clock ____ M. on _____ at _____
Date Place

☐ I certify that the defendant could not be found.

☐ I certify that I personally attempted to deliver a copy of this Summons and Charging Document to the defendant, but they refused to accept and/or sign a receipt for the document(s).

Signature of Issuing Officer

Officer's Title

Printed Name of Officer

Date

Agency, Sub Agency, I.D.



DISTRICT COURT OF MARYLAND FOR Frederick County

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Case No. D-111-CR-22-001343

STATE OF MARYLAND

VS.

FAVILLA, DENNIS RAYMOND

COMPLAINANT:

Officer: STEARS, DET J.
Agency/Subagency: ZJ 10
Officer ID: 0401

610 FAIRVIEW AVE
FREDERICK, MD 21702

CC#: 22-063446

LID:

Race: W Sex: M

DOB: 07/25/1960

SID:

DL#: MD10272643583 MD

Ht: 5' 8"

Home phone:

Wt: 212

FBI#:

Hair: GRY Eyes:

Cellphone:

STATEMENT OF CHARGES

UPON THE FACTS CONTAINED IN THE APPLICATION OF Officer: STEARS, DET J. IT IS FORMALLY CHARGED THAT FAVILLA, DENNIS RAYMOND at the dates, times and locations specified below:

NUM	CHG/CIT	STATUTE	PENALTY	DESCRIPTION OF THE CHARGE
001	1 1303	CR 7 104	20 Y &/or \$25,000.00	<p>THEFT SCHEME: \$100,000 PLUS On or About 01/10/2022 - 05/02/2022 5 N MAIN ST WOODSBORO, FREDERICK COUNTY, MD 21798 ... did, between the dates of 01/10/2022 and 05/02/2022, pursuant to one scheme and continuing course of conduct, steal US CURRENCY of JOHN AND SANDRA FAVILLA having a value of \$134,126.64, \$100,000 or more, in violation of CR 7-104 of the Annotated Code of Maryland. Against the Peace, Government, and Dignity of the State.</p>
002	1 1390	CR 8 801 ((b))	20 Y &/or \$25,000.00	<p>OBT PROP.VUL ADULT- \$100K + On or About 01/10/2022 - 05/02/2022 5 N MAIN ST WOODSBORO, FREDERICK COUNTY, MD 21798 ... did with intent to deprive, knowingly and willfully obtain by deception, US CURRENCY, having a value of \$110,475.84, \$100,000 or more and belonging to JOHN RICHARD FAVILLA, knowing that said victim is at least 68 years old. Against the Peace, Government, and Dignity of the State.</p>
003	1 1388	CR 8 801 ((b))	5 Y &/or \$10,000.00	<p>OBT PROP VUL ADLT-\$1500-<\$25K On or About 01/10/2022 - 05/02/2022 5 N MAIN ST WOODSBORO, FREDERICK COUNTY, MD 21798 ... did with intent to deprive, knowingly and willfully obtain by deception, US CURRENCY, having a value of \$23,650.80, at least \$1,500 but less than \$25,000 and belonging to SANDRA FAVILLA, knowing that said victim is a vulnerable adult AND is at least 68 years old. Against the Peace, Government, and Dignity of the State.</p>
004	1 2502	CR 8 601 ((a))	10 Y &/or \$1,000.00	<p>FORGERY-PRIV DOCUMENTS On or About 05/03/2021 FREDERICK COUNTY, MD did counterfeit THE POWER OF ATTORNEY FOR JOHN AND SANDRA FAVILLA with the intent to defraud. Against the Peace, Government, and Dignity of the State.</p>

Z. Byrd, B082

Judicial Officer:

Commissioner

B082

Date : 12/05/2022 Time : 12:27 PM

Tracking No. 221001803945



DISTRICT COURT OF MARYLAND

Frederick County

(City/County)

LOCATED AT (COURT ADDRESS)
100 W Patrick St

Frederick MD 21702

D-111-CR-22-001343



COMPLAINANT

DEFENDANT

Detective J. Stears

Printed Name

110 Airport Dr B

Address

Frederick MD 21702

City, State, Zip

FCSO ZJ-10 #0401

Agency, Sub-agency, and ID. #

2406747677

Telephone

(Officer Only)

FAVILLA, Dennis Raymond

Printed Name

610 Fairview Ave

Address

Frederick MD 21702

City, State, Zip

CC# 22-063446

Unknown

Telephone

DEFENDANT'S DESCRIPTION: Driver's License # MD10272643583

Sex M

Race W

Ht 5'8"

Wt 212

Hair GREY

Eyes UNK

Complexion FAIR

Other

DOB 07-25-60

ID

APPLICATION FOR STATEMENT OF CHARGES

Page 1 of 7

(Include a statement of facts within your personal knowledge (what you saw or heard, what someone said to you, etc.) showing that there is probable cause to believe that a crime has been committed and that the defendant has committed it. Please see the "NOTICE TO APPLICANT FOR A CHARGING DOCUMENT" for further information.)

I, the undersigned, apply for a statement of charges and a summons or warrant which may lead to the arrest of the above named defendant because on or about 01-10-22 at Woodsboro Bank 5 N Main St Woodsboro MD

Date

Place

, the above named defendant

SBE ATTACHED

(Continued on attached 6 pages) (DC-CR-001A)

I solemnly affirm under the penalties of perjury that the contents of this document are true to the best of my knowledge, information, and belief.

12-05-22

Date

Officer's Signature

Printed Name

I have read or had read to me and I understand the notice on the back of this form.

Date

Applicant's Signature

Printed Name

Subscribed and sworn to before me December 5th 2022 at 12:00

Date

Time

☐ AM ☒ PM

Judge/Commissioner

Z. Byrd D082

Commissioner

ID Number

I understand that a charging document will be issued and that I must appear for trial ☐ on 12-05-22

Date

at 12:00, ☐ when notified by the clerk, at the court location shown at the top of this form.

Time

Applicant's Signature

☐ The applicant requests reasonable protection for safety of the alleged victim or the victim's family:

☒ I have advised applicant of the right to request shielding. ☒ The applicant declines shielding.
☐ I declined to issue a charging document because of lack of probable cause.

Date

Commissioner

ID Number



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DEFENDANT'S NAME (LAST, FIRST, M.I.)

FAVILLA, Dennis

APPLICATION FOR STATEMENT OF CHARGES (CONTINUED) Page 2 of 2

On 06-09-22 I was informed by Sgt. Hyatt to contact John Richard Favilla W/M/01-30-39. I was told that John wanted to report that his adult son, Dennis Raymond Favilla W/M/07-25-60, had forged a power of attorney and stolen several thousand dollars from his accounts.

On 06-09-22 at 1330 I met with John Favilla at his residence at John informed me that he and his wife Sandra Fay Favilla W/F/04-26-40 were in a serious auto accident in November 2020. He explained that his wife Sandra suffers from dementia. Following the accident his son, Dennis, came back into his life after several years of being estranged to assist him with getting around. John explained that during this time Dennis would pick him up and take him to medical appointments. He also states that during this time he allowed Dennis to handle the affairs of two properties in which he and his wife owned in Ocean City, MD (1201 Atlantic Ave Unit 402, Ocean City MD 20842, and 2818 Plover Dr Unit 11 Ocean City MD 20842). John explained that Dennis tried to convince him to rent the properties and he agreed to rent 1201 Atlantic Ave for a period of time with the help of Dennis. He had a verbal agreement with Dennis that he would rent the Atlantic Ave property pay the mortgage. In early 2022 John learned that Dennis was not paying the mortgage and he became suspicious of Dennis. John also noticed that he was no longer receiving bank statements from his bank, Woodsboro Bank. John contacted the bank and learned that Dennis had obtained a power of attorney over he and his wife, Sandra Fay Favilla and had moved thousands of dollars from his account. John was provided with a document from Woodsboro Bank that showed that the bank received a notarized power of attorney which was completed and notarized on May 3rd 2021. The power of attorney document reflected the following:

-Completion date of: 05-03-21

-Notary: Ryan Patrick Conner

-Witness #1: Lana Fink, 11825 Heatherfield Tr New Market MD 21774, 7196965785

-Witness #2: Matthew Bishop, 439 Delaware Rd Frederick MD 21702, 3013005819

-Full power of attorney over all of John and Sandra's assets, properties, accounts etc.

-No page numbers

-No mention of "Power of Attorney" on the page labeled "AFFIDAVIT" signed by Sandra Favilla and John Favilla and notarized by Conner.

John was provided with a copy of this document (Power Of Attorney) by Woodsboro Bank when he discovered that the several thousand dollars in funds were withdrawn from his account (Woodsboro Bank account#10129005 (John and Sandra Favilla). He also found out that Dennis had added his name on this account after he presented them with the power of attorney. John showed me a copy of this document which was photographed.

John also provided information that he learned that Dennis had contracted Slocumb Law Firm at some point in 2021 without he or his wife's permission to represent Sandra and him in the personal injury claims for the 2020 accident. He learned that Slocumb had come to settlement with Blephant Insurance for \$58,848.78 for his injuries and \$23,650.80 for Sandra Favilla's injuries. Dennis had deposited the \$58,848.78 into his Woodsboro bank account and has since drained that account. Investigation would later reveal that Dennis deposited and then later withdrew/transferred these funds.

CONTACT WITH JOHN FAVILLA JR

On 06-10-21 I contacted John Favilla's son, John Favilla Jr W/M/08-27-58. John states that he is aware that his Brother Dennis had obtained power of attorney for his Father. It is his belief that his Father would not have given Dennis power of attorney. I inquired

12-05-22

Date

Applicant's Signature

Printed Name

Tr.#221001803945



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(City/County)

DEFENDANT'S NAME (LAST, FIRST, MI.)

FAVILLA, Dennis

APPLICATION FOR STATEMENT OF CHARGES (CONTINUED) Page 3 of 7

about his Father's mental health and he states that his father is "Sharp" and that he does not suffer from dementia or other mental disorders. John Jr states that in the fall of 2021 he visited Frederick and spoke with Dennis. He states that they had a conversation about their fathers "Will" and that they needed to get it in order. John states that Dennis commented "I've got it right here in my pocket, im getting everything".

CONTACT WITH RYAN CONNER - FCB BANK

On 06-10-22 I contacted the notary, Ryan Conner, who completed the "Affidavit" page of the document. Ryan states that he does remember notarizing a document for Dennis Favilla on May 3rd 2021. I emailed Ryan the page of the document labeled "Affidavit" and the page of the document labeled "Witness Attestation" and he called me a short time later. Ryan tells me that he was contacted by Dennis via telephone on the date this was completed, and Dennis told him that he needed a document notarized. He explained that a short time later Dennis Favilla, John Favilla, and Sandra Favilla came into the branch located at 165A Thomas Johnson Dr, Frederick MD and presented him with a one page document labeled "Affidavit". He witnessed John and Sandra sign the one page document and they left the bank. John states that he has never seen the "Witness Attestation" page. Ryan emailed me a signed statement which will be attached.

CONTACT WITH SLOCUMB LAW FIRM

On 06-10-22 I contacted Justin Turner of Slocumb law firm who handled the settlement's for the traffic accident. I informed Justin that the power of attorney used by Dennis Favilla was forged and invalid. Justin informed that the payout for both John Favilla (\$58,848.78) and Sandra Favilla (\$23,650.80) had already been dispersed to Dennis Favilla.

CONTACT WITH MATTHEW BISHOP

On 06-15-22 I made contact with Matthew Bishop who was listed as a "witness" to the power of attorney which was submitted to Woodsboro Bank. Matthew met with me at Frederick County Sheriff's Office and we sat down together in a room in the lobby. Matt states that he knows Dennis Favilla and has for several years. Matt could not remember the date but states that he does remember receiving a call from Dennis Favilla who told him he needed him to "witness a signature". Matt thought nothing suspicious of it because he states he always knew of Dennis to be of good morals. Matt says that he met with Dennis in a parking lot and remembers seeing a man, and a woman in a vehicle and then seeing Dennis. Dennis showed him a single piece of paper which he recognized as the "witness attestation paper" which contained his signature and personal information. He states that he did not witness anyone sign paperwork but he did see Dennis walk over to a vehicle in which the other people were seated. Dennis remembers the location being somewhere off of 7th St in Frederick MD. Matt provided a written statement.

On 06-16-22 I received a text message from Matt Bishop who told me that the night prior, after meeting with me, Dennis showed up at his house. He said that Dennis told him that he was suing his Dad for "Defamation" and was filing charges for "malicious something". He said that Dennis told him not to talk to "Detectives" and to contact his lawyer, Richard Winters.

CONTACT WITH LANA FINK

On 06-15-22 I went to the residence of Lana Fink at 11825 Heatherfield Dr New Market MD in attempt to interview her in regards to her "Witness Attestation" of the power of attorney. I did not receive an answer and called her at the number listed on the document. Lana answered and agreed to meet with me the following day regarding the matter. A couple hours later I received a text from Lana stating that she did not want to meet with me and wanted to email a statement. On 06-16-21 I received the statement via email from

12-05-22

Date

Applicant's Signature

Stearns 401

Printed Name

Tr.#221001803945



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FAVILLA, Dennis

APPLICATION FOR STATEMENT OF CHARGES (CONTINUED) Page 4 of 7

Lana. The statement indicates that she did witness "Mr. Favilla (the father) sign the document" and if I had further questions to contact Richard Winters.

I completed a subpoena to Woodsboro Bank for activity on the account of John and Sandra Favilla (Woodsboro Bank account#10129005) and to identify any other Woodsboro bank account in the name of Dennis Favilla, as a result I received records for the following accounts:

Woodsboro Bank account#10129005 (John and Sandra Favilla)

Woodsboro Bank Account#10205342 (Dennis Favilla)

In reviewing these records I determine that Dennis moved money from Woodsboro Bank account#10129005 (John and Sandra Favilla) and Woodsboro Bank Account#10205342 (Dennis Favilla) into two separate PNC Bank Accounts.

PNC Account #5532148877

PNC Account #5510208277

CONTACT WITH ATTORNEY RICK WINTERS - ATTORNEY AMY TAYLOR

On 07-08-22 I was contacted by Attorney Rick Winters regarding this case. Rick sent me an email which contained a excel document that he explained was created by his client Dennis Favilla. This document detailed chronologically the story provided by Dennis for the period in question. The document was labeled "SUMMARY AND CHRONOLOGY OF ACTIVITIES OF DENNIS FAVILLS, FINANCIAL AGENT FOR JOHN AND SANDRA (FAY) FAVILLA" with the following Preamble: "PREAMBLE: My father is an angry, racist, mean & hateful person. He was a despicable father, physically and mentally abusive to his children and to my mother. He is a deceitful, manipulative man who has for all his life, argues with nearly everyone he encounters. As children we observed him in physical altercations with other adult men. He and I had been estranged for nearly 30 years, until my brother in Ohio called to say that John and Fay were involved in a serious car accident on November 12, 2020 that placed them both in the hospital. Having no desire for a reconciliation, I resisted. My brother was relentless that the situation had become dire and I concluded the right thing to do was to help and I reached out to him on or about December 5, 2020.

He indicates in the document that the "power of attorney" was completed and states "In order to take care of a growing list of responsibility, John and Fay signed a Power of Attorney". He also details over the time period that he spent money on home repairs on both Plover Dr and Atlantic Ave properties (Ocean City). He provided a excel spreadsheet showing what he titled "Favilla Summary of Financial Transactions". In this document he admits to moving the \$58,848.78 settlement check for John Favilla into his PNC account. He also admits to depositing the \$23,650 check into his PNC account. He does not reference the bellow listed (75) total ATM Withdrawals on his Woodsboro Bank Account#10205342 (Dennis Favilla) totaling \$20,529.50 in US Currency, all at PNC Banks in an approximately 90 day period). In the excel document he references that he is owed \$47,690.66. Also enclosed in this email was a "signed resignation" which was completed for the fabricated power of attorney and hand delivered by process server to John Favilla Sr.

On 10-03-22 I received an email from Amy Taylor who advised she had been retained by Dennis Favilla regarding this case.

12-05-22

Date

Applicant's Signature

Stearns

Printed Name

401

Tr.#221001803945



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DEFENDANT'S NAME (LAST, FIRST, MI.)

FAVILLA, Dennis

APPLICATION FOR STATEMENT OF CHARGES (CONTINUED) Page 5 of 7

TIMELINE ESTABLISHED

In summary after obtaining documents from several different entities involved in this case the following timeline is established:

05-03-21 - Power of Attorney Fabricated/Forged by Dennis Favilla and notarized by Ryan Conner (FCB Bank)

05-19-21 - Power of Attorney utilized in Worcester County for sale of 2318 Plover Dr, Check for \$93,778 provided to John Favilla by Dennis (No dispute on these funds)

10-14-21 - Fabricated Power of Attorney Submitted to Woodsboro Bank notarized by David Crum. Dennis Favilla accesses the Woodsboro Bank account#10129005 (John and Sandra Favilla). It is believed this is also when Dennis changes where bank statements are sent to 610 Fairview Ave, Frederick, Dennis's address.

11-29-21 - Slocumb Law Firm receives a copy of the fabricated power of attorney

01-05-22 - Settlement Check for Dennis Favilla deposited into Woodsboro Bank Account#10129005 (John and Sandra Favilla) amount of \$58,848.78

01-10-22 - Transfer of \$58,848.78 from Account#10129005 (John and Sandra Favilla) to Woodsboro Bank Account#10205342 (Dennis Favilla)

02-02-22 - Dennis writes a check for \$1,084 to "Bali Hi Trailer Park" in Ocean City MD, on Woodsboro Bank Account#10205342

Between 02-07-22 and 05-20-22 - Dennis Favilla completes (75) total ATM Withdraws on Woodsboro Bank Account#10205342 (Dennis Favilla) totaling \$20,529.50 in US Currency, all at PNC Banks. Surveillance video shows him as the person making the withdraws.

04-12-22 - Dennis wrote a check to himself (Check #001008) on Woodsboro Bank Account#10129005 (John and Sandra Favilla) for the amount of: \$40,000 which deposited into PNC Account #5510208277 (Dennis Favilla)

Between 04-12-22 and 05-20-22 Dennis Favilla makes \$31,000 in transfers from Woodsboro Bank Account #10205342 (Dennis Favilla) labeled as "Bill Pay" to two different PNC Bank Accounts: #5532148877 and #5510208277 both in the name of Dennis Favilla (itemized below)

PNC Account #5510208277

04-12-22 - ACH Web Pmt P2P Paymnt - Woodsboro Bank Dennis Favilla - \$1,000

04-20-22 - ACH Web Pmt - P2P Paymnt- Woodsboro Bank Dennis Favilla - \$2,500

PNC Account#5532148877

04-21-22 - ACH Web Pmt P2P - Woodsboro Bank Dennis Favilla - \$2,500

04-25-22 - ACH Web Pmt P2P - Woodsboro Bank Dennis Favilla - \$2,500

04-26-22 - ACH Web Pmt P2P - Woodsboro Bank Dennis Favilla - \$2,500

04-28-22 - ACH Web Pmt P2P - Woodsboro Bank Dennis Favilla - \$2,500

05-03-22 - ACH Web Pmt P2P - Woodsboro Bank Dennis Favilla - \$2,500

05-03-22 - ACH Web Pmt P2P - Woodsboro Bank Dennis Favilla - \$2,500

05-04-22 - ACH Web Pmt P2P - Woodsboro Bank Dennis Favilla - \$2,500

05-06-22 - ACH Web Pmt P2P - Woodsboro Bank Dennis Favilla - \$2,500

05-09-22 - ACH Web Pmt P2P - Woodsboro Bank Dennis Favilla - \$2,500

05-10-22 - ACH Web Pmt P2P - Woodsboro Bank Dennis Favilla - \$2,500

05-16-22 - ACH Web Pmt P2P - Woodsboro Bank Dennis Favilla - \$2,500

05-18-22 - ACH Web Pmt P2P - Woodsboro Bank Dennis Favilla - \$2,500

05-23-22 - ACH Web Pmt P2P - Woodsboro Bank Dennis Favilla - \$2,500

04-13-22 - Dennis completes a bill pay from Woodsboro Account#10129005 (John and Sandra Favilla) to "ACH Debit to Loan Dep

12-05-22

Date

Applicant's Signature

Stearns 401

Printed Name

Tr.# 221001803945



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FAVILLA, Dennis

APPLICATION FOR STATEMENT OF CHARGES (CONTINUED) Page 6 of 7

Depot, and sent to Cenlar FSB Bank" for amount of \$2,543.06.

04-18-22 - Dennis opens PNC Bank Account #5532148877 and Check for \$23,650.80 is deposited (Sandra Favilla Settlement Check)

04-19-22 - Dennis completes Online transfer of \$35,000 from PNC Account# #5532148877 (Dennis Favilla) to PNC Account #5510208277 (Dennis Favilla)

04-28-22 - Dennis wrote a check to himself (Check #001001) on Woodsboro Account#10129005 (John and Sandra Favilla) for the amount of: \$3,000 which was deposited into PNC Bank account 8877, NOTE: Beach house

05-02-22 - Dennis wrote a check to himself (Check #001004) on Woodsboro Bank Account#10129005 (John and Sandra Favilla) for the amount of \$5,000 which was deposited into PNC Account 8277, NOTE: Beach house renovation

Summary of Funds Stolen by Dennis Favilla:

\$58,848.78 - Settlement Check from Sloucomb for John Favilla

\$1,084 - Bali Hi Trailer Park Payment

\$40,000 - Check written to himself Check #001008 - Woodsboro Bank

\$2,543.06 - Bill Pay ACH Loan Depot

\$23,650.80 - Settlement Check from Sloucomb for Sandra Favilla

\$5,000 - Check written to himself Check #001004- Woodsboro Bank - for "Beach house renovation"

\$3,000 - Check written to himself Check #001001- Woodsboro Bank - for "Beach house"

TOTAL: \$134,126.64

Dennis Favilla Account Balance:

PNC Bank 8877 - Balance as of 06-10-22 \$73,684.16

PNC Bank 8277 - Balance as of 06-10-22 \$1,854

CASE FWD TO FREDERICK COUNTY STATES ATTORNEY OFFICE

On 09-27-22 I forwarded all case information to Assistant Frederick County States Attorney Tim Gilbert for review.

RECORDED INTERVIEW WITH JOHN FAVILLA AND JOHN FAVILLA JR

On 09-27-22 at 1400, at the request of the Frederick County States Attorney's Office, I met with John Favilla and John Favilla Jr at the Law Enforcement Center regarding this case. We sat down in a recorded interview room in the criminal investigation's suite.

The full context of the interview was recorded and will be placed into the SAFE evidence system. During the interview I reviewed the document provided by Dennis Favilla and his attorney of Dennis's account/timeline of events. John adamantly denies ever giving Dennis permission to access his accounts or complete a power of attorney on his behalf.

CONTACT WITH RYAN CONNER - FCB BANK

On 11-23-22 at the request of the Frederick County States Attorney's Office I spoke with FCB employee Ryan Conner via telephone regarding this case. Ryan is the FCB Employee who notarized the document (fabricated power of attorney). I had previously spoke with Ryan via email and requested his notary log. I asked Ryan how many pages the document that he notarized was and he told me "1". I also asked if there were any witnesses present and he informed me that it was him, Dennis Favilla, John Favilla, and Sandra Favilla. On 11-29-22 I completed a subpoena to FCB/ACNB bank for the following:

12-05-22

Date

Applicant's Signature

Printed Name

Tr.#221001803945



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FAVILLA, Dennis

APPLICATION FOR STATEMENT OF CHARGES (CONTINUED) Page 7 of 2

- Provide any and all banking records showing any accounts or account activity in name of: Sandra Favilla (DOB 04-26-40)/John Favilla (DOB 01-20-39) /or Dennis Favilla (DOB 07-25-60) and any business accounts in these names or in name of "Bad Hair day Salon" for period of 01-01-21 to present. Please also show any opening or closing of accounts and the dates of these actions.
- Provide notary journal/records for FCB Bank employee Ryan Conner and any other records maintained by FCB/ACNB bank for notary of documents for John and Sandra Favilla completed on 05-03-21
- Provide a records certification for all records provided.

CONTACT WITH JOHN FAVILLA JR & JOHN FAVILLA

On 11-30-22 at the request of the Frederick County States Attorney's Office I contacted John Favilla Jr via telephone regarding obtaining information on the following:

- Location of \$93,000 which was the money from Plover Dr (Ocean City) house sale
- Any agreements on work to be done or work done at Plover Dr or Atlantic Ave beach properties
- Mortgage Payment history for Atlantic Ave rental property

John Sr states that he never gave Dennis permission to work on or repair either property (Plover or Atlantic Ave/Beach Properties). John Sr and Jr both state that Plover Dr was sold as is. John Sr states that Dennis talked him into renting Atlantic Ave for one year and they were to split the profits. This was a verbal agreement only. John Sr states that at no point did he give permission to Dennis to access his accounts and/or complete any repairs to either property (Plover or Atlantic) or get a power of attorney. When asked about the sale of Plover Dr specifically John Sr states that he knew that Dennis was a realtor and had a "realtors license" and trusted him to handle the sale. I asked specifically about the power of attorney and how he thought that Dennis would be able to complete the sale without it and he states that he thought that a licensed realtor could complete this on his behalf and thought nothing of a power of attorney.

CHARGES FILED

After consult with ASA Gilbert it was determined to charge this case in district court and apply for the following charges:

- CR 8-801(b) - OBT PROP VUL ADULT- \$100K + - Victim John Favilla (DOB 01-20-39, 83 YOA)
- CR 8-801(b) - OBT PROP VUL ADULT- \$1,500 - \$25,000 - Victim Sandra Favilla (DOB 04-26-40, 82 YOA, dementia patient)
- CR 7-104 - Theft Scheme +100K CR 7-104

12-05-22

Date

Applicant's Signature

Printed Name

Tr.#221001803945

NOTICE OF ADVICE OF RIGHT TO COUNSEL FOR ALL JUDICIAL PROCEEDINGS

TO THE PERSON CHARGED:

1. This paper charges you with committing a crime.
2. If you have been arrested and remain in custody, you have the right to have a judicial officer decide whether you should be released from jail until your trial.
3. If you have been served with a citation or summons directing you to appear before a judicial officer for a preliminary inquiry at a date and time designated or within five days of service if no time is designated, a judicial officer will advise you of your rights, the charges against you, and penalties. The preliminary inquiry will be cancelled if a lawyer has entered an appearance to represent you.
4. You have the right to have a lawyer.
5. A lawyer can be helpful to you by:
 - (A) explaining the charges in this paper;
 - (B) telling you the possible penalties;
 - (C) explaining any potential collateral consequences of a conviction including immigration consequences;
 - (D) helping you at trial;
 - (E) helping you protect your constitutional rights; and
 - (F) helping you to get a fair penalty if convicted.
6. Even if you plan to plead guilty, a lawyer can be helpful.
7. If you are eligible, the Public Defender or a court-appointed attorney will represent you at any initial appearance before a judicial officer and at any proceeding under Rule 4-216.2 to review an order of a District Court commissioner regarding pretrial release. If you want a lawyer for any further proceeding, including trial, but do not have the money to hire one, the Public Defender may provide a lawyer for you. To apply for Public Defender representation, contact a District Court commissioner.
8. If you want a lawyer but you cannot get one and the Public Defender will not provide one for you, contact the court clerk as soon as possible.
9. **DO NOT WAIT UNTIL THE DATE OF YOUR TRIAL TO GET A LAWYER.** If you do not have a lawyer before the trial date, you may have to go to trial without one.

Contact information for District Court Commissioner's Offices can be found at:

<http://www.mdcourts.gov/district/directories/commissionermap.html>

If you require further information about qualifying for a Public Defender, call 1-833-453-9799.

NOTICE TO DEFENDANT

1. **MUST APPEAR** - If the offense with which you are charged is a 'MUST APPEAR' offense, you may not waive trial but are required to appear in court when notified. PLEASE NOTE THAT FAILURE TO APPEAR MAY RESULT IN A WARRANT FOR YOUR ARREST.
2. **PRESET FINE** - You must either pay the preset fine, request a waiver hearing, or request a trial date within 30 days after receipt of the citation/summons/warrant.

NOTE: If charged by citation, follow instructions on the citation. **IF CHARGED BY STATEMENT OF CHARGES (SUMMONS OR WARRANT), CHECK ONE OF THE FOLLOWING OPTIONS, SIGN AND DATE, AND MAIL THIS FORM, ALONG WITH A COPY OF THE STATEMENT OF CHARGES (SUMMONS OR WARRANT) TO THE ADDRESS SHOWN BELOW:**

☐ **OPTION #1:**

Pay the full amount of the preset fine at any District Court of Maryland location, or with a credit card at the Maryland Judiciary Website or by phone (see below) or by mail to the address shown below.

To pay by mail:

- Make your check or money order payable to the District Court of Maryland. Include citation number(s) you wish to pay on check.
- An additional \$10 service fee will be imposed for each dishonored check.

☐ **OPTION #2:**

Request a Waiver Hearing: I admit I committed the violation in this Statement of Charges, and I request a waiver hearing to explain the circumstances to a judge. I understand this is not a trial, the officer and witnesses will not be present, and my appearance in court is for sentencing only.

☐ **OPTION #3:**

Request a trial date: I request a trial date for the violation(s) charged.

Date

Signature

**District Court Traffic Processing Center
District Court of Maryland
P.O. Box 6676
Annapolis, MD 21401-0676**

Please note that payment in full of the preset fine will close the violation and result in the entry of a conviction for the violation(s). Please note further that points will be assessed by Motor Vehicle Administration (MVA) on your driving record after conviction of a violation of the Motor Vehicle Laws of this State. If you fail to comply with one of the above options within 30 days of receipt of a citation/summons/warrant, MVA will be notified and may take actions to suspend your license. Driving on a suspended license is a criminal offense for which you could be incarcerated.

FOR MORE INFORMATION AND TO PAY CITATIONS:

Visit the MD Judiciary Website at www.mdcourts.gov/district or call the Interactive Voice Response (IVR) System for trial dates, court locations, and directions.

From all areas including out-of-state calls: 1-800-492-2656

TTY users call Maryland RELAY: 711

I have read or have had read to me the contents of the above notice and acknowledge receipt of a copy thereof.

Date

Defendant

Date

Judge/Commissioner

IMPORTANT NOTICE

The attached papers charge you with committing a crime. Depending on the crime charged, a **jail sentence** could be imposed by the court if you are found guilty. You have a right to be represented at trial by a lawyer. **ACT IMMEDIATELY** to obtain a lawyer. If you cannot afford a lawyer, you may apply for the Public Defender through the **District Court Commissioner** who will determine if you are eligible for the Public Defender to represent you at trial. If you wait too long to retain the Public Defender or private counsel you can be made to stand trial without a lawyer. Applications are accepted at any District Court Commissioner's Office during operating hours. Please contact the office listed below for operating hours:

District Court Commissioner Station for Frederick County
7300 MARCIE'S CHOICE LANE
Frederick, MD 21704
1-833-453-9799

You should bring the following papers to apply for the Public Defender's services:

1. Court charging documents/traffic tickets. (Statement of Charges/all documents issued to you by court).
2. Trial date notices from the court. (You may apply even if no trial date has been received.)
3. If you are employed:
Written proof of salary, pay stubs, or other written verification of income for the last two pay periods.
4. If you are unemployed:
Proof of public assistance, medical assistance, Social Security or Supplemental Security Income (SSI), or other assistance you are receiving.

For more information on operating hours or locations visit the Maryland Judiciary website:
mdcourts.gov/district/directories/commissionermap
If you require further information about qualifying for the Public Defender, call 1-833-453-9799.

IMPORTANT

IF THE COMMISSIONER DETERMINES THAT YOU ARE ELIGIBLE TO BE REPRESENTED BY THE PUBLIC DEFENDER AT TRIAL, YOU WILL RECEIVE A **FINAL QUALIFICATION** IN WRITING. ONCE YOU HAVE RECEIVED THE FINAL QUALIFICATION, ALL QUESTIONS SHOULD BE DIRECTED TO THE PUBLIC DEFENDER'S OFFICE:

The address of the Public Defender is: **COURTHOUSE**
100 WEST PATRICK STREET
FREDERICK, MARYLAND 21701

Their telephone number is: **301-600-1988**

The Office of the Public Defender is open weekdays from 8:30 a.m. to 4:30 p.m.

I have read, or have had read to me, the contents of the above notice and acknowledge receipt of a copy thereof.

DATE

SIGNATURE OF DEFENDANT

**IF YOU DO NOT HAVE A LAWYER ON THE TRIAL DATE, YOU MAY
HAVE TO GO TO TRIAL WITHOUT THE ASSISTANCE OF A LAWYER.**